

# Order

Michigan Supreme Court  
Lansing, Michigan

May 25, 2016

Robert P. Young, Jr.,  
Chief Justice

ADM File No. 2014-17

Stephen J. Markman

Brian K. Zahra

Bridget M. McCormack

David F. Viviano

Richard H. Bernstein

Joan L. Larsen,

Justices

Amendments of Rule 7.306  
of the Michigan Court Rules

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On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendments of Rule 7.306 of the Michigan Court Rules are adopted, effective September 1, 2016.

[The present language is amended as indicated below by underlining  
for new text and strikeover for text that has been deleted.]

## Rule 7.306 Original Proceedings

(A) [Unchanged.]

(B) What to File. To initiate an original proceeding, a plaintiff must file with the clerk

(1)-(2)[Unchanged.]

(3) proof that a copy of the complaint and brief was served on the defendant,  
and, for a complaint filed against the Attorney Discipline Board or Attorney  
Grievance Commission, on the respondent in the underlying discipline  
matter; and

(4) [Unchanged.]

Copies of relevant documents, record evidence, or supporting affidavits may be  
attached as exhibits to the complaint.

(C) [Unchanged.]

(D) Brief by Respondent in Action Against Attorney Grievance Commission or  
Attorney Discipline Board. A respondent in an action against the Attorney

Grievance Commission or Attorney Discipline Board may file a response brief with the clerk within 21 days after service of the complaint, and a proof that a copy of the response brief was served on plaintiff and defendant. A response brief filed under this subsection shall conform with MCR 7.212(B) and (D).

(E)-(I) [Former (D)-(H) relettered, but otherwise unchanged.]

*Staff Comment:* The amendments of MCR 7.306 expressly authorize a respondent attorney to file a brief in actions of superintending control when the complainant objects to a dismissal by the AGC or ADB; the amendments also require the party filing for superintending control to serve copies of the complaint and brief on the respondent and allow 21 days for respondent attorney to submit a brief, with copies to be served on the plaintiff and defendant.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 25, 2016

Clerk